

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 2 and 5-10 are rejected under 35 U.S.C. 102(a) as being anticipated by Yamamoto '698.

Referring to **claim 1**, Yamamoto '698 discloses a method of operating an image input scanner, the image input scanner including a first image scanning module (ISM) for recording images from a first side of each of a plurality of sheets in standard operation (col. 8, lines 10-12, first contact sensor 27 reads image information on one side of the original document), and a second image scanning module (ISM) for recording images from a second side of each of a plurality of sheets in standard operation (col. 8, lines 12-15, second contact sensor 28 reads image information formed on the other side of the original document), the first ISM and the second ISM being arranged along a path, a tray disposed at a beginning of the path for retaining a stack of sheets for scanning by the first ISM and the second ISM, and a user interface operative associated with the image input scanner, comprising:

determining that an output of the first ISM is unsatisfactory (col. 11, lines 22-31, control section 36 determines that one contact sensor is unable to read);

communicating through the user interface an instruction to arrange the plurality of sheets in the tray in a predetermined orientation (col. 11, lines 22-50, control section 36 indicates on a display panel that an even numbered page is unreadable, the user then mounts the original bundle onto the document tray 19 and presses the image reading key once again); and

recording the first side of each of the plurality of sheets with the second ISM (col. 11, lines 44-55, the first contact sensor 27 reads the original document until the entire document is completed).

Referring to **claim 2**, Yamamoto '698 discloses the determining step including determining that the first ISM is not operational (col. 11, lines 22-50, control section 36 indicates on a display panel that an even numbered page is unreadable, the user then mounts the original bundle onto the document tray 19 and presses the image reading key once again).

Referring to **claim 5**, Yamamoto '698 discloses determining that an output of the second ISM is unsatisfactory (col. 11, lines 57-59, ADF 81 allows the second contact sensor 28 to read when the first contact sensor 27 is disabled).

Referring to **claim 6**, Yamamoto '698 discloses communicating through the user interface that the second ISM is outputting degraded image data (col. 11, lines 22-50, control section 36 indicates on a display panel that an even numbered page is unreadable, the user then mounts the original bundle onto the document tray 19 and presses the image reading key once again).

Referring to **claim 7**, Yamamoto '698 discloses a method of operating an image input scanner, the image input scanner including a first image scanning module (ISM) for recording images from a first side of each of a plurality of sheets in standard operation (col. 8, lines 10-12, first contact sensor 27 reads image information on one side of the original document), and a second image scanning module (ISM) for recording images from a second side of each of a plurality of sheets in standard operation (col. 8, lines 12-15, second contact sensor 28 reads image information formed on the other side of the original document), the first ISM and the second ISM being arranged along a path, a tray disposed at a beginning of the path for retaining a stack of sheets for scanning by the first ISM and the second ISM, and a user interface operative associated with the image input scanner, comprising:

determining that an output of the first ISM is unsatisfactory (col. 11, lines 22-31, control section 36 determines that one contact sensor is unable to read); and

communicating through the user interface that the first ISM is outputting degraded image data (col. 11, lines 22-50, control section 36 indicates on a display panel that an even numbered page is unreadable, the user then mounts the original bundle onto the document tray 19 and presses the image reading key once again).

Referring to **claim 8**, Yamamoto '698 discloses communicating through the user interface an instruction to arrange the plurality of sheets in the tray in a predetermined orientation (col. 11, lines 22-50, control section 36 indicates on a display panel that an even numbered page is unreadable, the user then mounts the original bundle onto the document tray 19 and presses the image reading key once again); and

recording the first side of each of the plurality of sheets with the second ISM (col. 11, lines 44-55, the first contact sensor 27 reads the original document until the entire document is completed).

Referring to **claim 9**, see the rejection of claim 5 above.

Referring to **claim 10**, see the rejection of claim 6 above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto '698 as applied to claim 1 above, and further in view of Takeda '926.

Referring to **claim 3**, Yamamoto '698 discloses determining that an output of the first ISM is unsatisfactory but does not disclose expressly determining that the first ISM is capable of outputting degraded image data.

Takeda '926 discloses determining that an ISM is capable of outputting degraded image data (col. 2, lines 9-28, detector that detects a presence/absence of dust and dirt).

At the time of the invention, it would have obvious to a person of ordinary skill in the art to detect whether there is dust or dirt degrading image quality. The motivation for doing so would have been to improve image quality by taking appropriate steps to

remove dust and dirt. Therefore, it would have been obvious to combine Takeda '926 with Yamamoto '698 to obtain the invention as specified in claim 3.

Referring to **claim 4**, Takeda '926 discloses communicating through the user interface that the first ISM is outputting degraded image data (Fig. 27, col. 20, lines 26-29, user notified by display of dust and/or dirt).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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